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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

20 UNITED STATES OF AMERICA, *ex rel.*,
21 Joshua Luke,

Case No.: 2:13-cv-01319-APG-VCE

22 Plaintiff,
v.

24 HEALTHSOUTH CORPORATION,
25 HEALTHSOUTH OF HENDERSON, INC. and
 KENNETH BOWMAN.

26 Defendants.

**JOINT STATUS REPORT ON
SETTLEMENT PURSUANT TO
COURT ORDER SUSPENDING
DISCOVERY DEADLINES; and
[PROPOSED] ORDER TO EXTEND
DISCOVERY DEADLINES**

1 Pursuant to the August 27, 2019 Order of the Court (Doc. 225) and the August 28, 2019
2 Order issued by Special Master David Tenner (Doc. 226), Relator Joshua Luke (“Relator”),
3 Defendants HealthSouth Corporation and HealthSouth of Henderson (collectively, “HealthSouth”),
4 and Defendant Kenneth Bowman (“Bowman”), collectively the “Parties,” hereby submit this joint
5 status report regarding the Parties’ ongoing settlement discussions with the United States
6 Government (the “Government”):

7 1. On August 13, 2019, the Parties, along with the Government, participated in
8 settlement discussions, which resulted in a tentative agreement to settle this matter. In light of this
9 tentative agreement, the Parties filed two Joint Stipulations and Proposed Orders Vacating the
10 Hearing on Defendants’ Objections to the Special Master’s Order (Docs. 223 and 224),¹ in which the
11 Parties sought a stay of the case deadlines while they finalized settlement.

12 2. On August 27, 2019, the Court issued an order (Doc. 225) vacating the hearing on
13 Defendants’ Objections to the Special Master’s Order (Doc. 216), originally scheduled for
14 September 6, 2019; granting a stay of the case deadlines until September 24, 2019; and requiring the
15 Parties to file a status report on or before September 24, 2019. On August 28, 2019, the Special
16 Master also issued an Order granting this relief. (Doc. 226)

17 3. The Parties and the Government have participated in numerous communications by
18 telephone and email regarding the settlement agreement, during which the Parties discussed the
19 scope of the settlement agreement and the Parties’ releases of claims.

20 4. The Government has also drafted a settlement agreement and is awaiting
21 authorization to circulate the draft to the Parties.

22 5. While the Parties expect the settlement will be finalized shortly, they need additional
23 time to finalize and execute the settlement agreement.

24 Accordingly, the Parties hereby seek and agree to the entry of an order providing them with
25 an additional 28-day stay of the case deadlines, so that they may continue the settlement negotiations
26 and finalize and execute a settlement agreement in resolution of this case.

27 _____
28 ¹ Doc. 223 contained a signature block for Judge Ferenbach, and Doc. 224 contained a signature
block for Special Master David Tenner.

1

2 DATED this 24th day of September, 2019.

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BALKENBUSH & EISINGER**

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17 **Attorneys for Relator Joshua Luke**

18
19
20 IT IS HEREBY ORDERED that the parties
21 must file a status report on or before
22 October 22, 2019.

Respectfully submitted,

DATED this 24th day of September, 2019.

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IT IS SO ORDERED:


Cam Ferenbach
MAGISTRATE JUDGE CAM FERENBACH

DATED: 9-25-2019

CASE NO. 2:13-CV-01319-APG-VCF

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via the Court's electronic filing system and served on all counsel of record on September 24, 2019.

/s/ Ian M. Doig
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Attorney for plaintiff-relator Joshua Luke